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Department of Energy

Oak Ridge Operations P.O. Box 2001 Oak Ridge, Tennessee 37831-

February 13, 1989

Dr. Donald A. Deieso Assistant Commissioner New Jersey Department of **Environmental Protection** 401 East State Street Trenton, New Jersey 08629

Dear Dr. Deieso:

INFORMATION ON REGULATORY STATUS OF CONTAMINATED MATERIALS AT THREE NEW JERSEY SITES

This letter is in response to our meeting on October 24, 1988, and Mr. Ed Kaup's letter dated October 26, 1988. The letter of October 26 provided a copy of the policy of the New Jersey Department of Environmental Protection on the classification of wastes as per the New Jersey Administrative Code (N.J.A.C.) 7:26-1 et. seq. In addressing those requirements, we are providing available information on the regulatory status of contaminated materials located at three Formerly Utilized Sites Remedial Action Program (FUSRAP) sites in New Jersey. Sites discussed include the Maywood Interim Storage Site (MISS), the Wayne Interim Storage Site (WISS), and the Middlesex Sampling Plant (MSP). Each of these sites contain interim storage piles for FUSRAP remedial action wastes in addition to other contaminated materials beneath and around the engineered storage piles.

Having reviewed available analytical and historical information on wastes located at these sites, it is concluded that most of this waste (principally soil), is not "hazardous" as defined by either New Jersey or federal waste management regulations. This letter provides information supporting this conclusion, and discusses Department of Energy plans for resolving any remaining uncertainties concerning wastes at these sites.

The waste in the MSP storage pile was removed from the Middlesex Municipal Landfill (MML) and vicinity properties. The results of radiological and EP Toxicity Testing were provided to the NJDEP in August of 1985 (see Enclosure 1). Enclosure I includes the sampling plan containing details of sample locations and methodologies. The only sample contaminant

concentration that exceeded the EPA maximum concentration was the MSP Stockpile Sample number 5 lead concentration (5.58 mg/l vs EPA maximum concentration of 5.0 mg/l). Most of the remaining contaminant levels were below the detection levels for the methods used. The data collected was part of a representative and statistically valid sampling procedure per SW-846. The 5.58 mg/l value is an outlier and not representative of the soil in the pile. The 1986 sampling plan and analysis results were provided in October 1986 (see Enclosure 2).

DOE records indicate that the major proportion of wastes contained within the MISS and WISS storage piles consists of soil and demolition rubble resulting from previous FUSRAP remedial efforts. This soil and rubble was removed from a variety of areas because of low-level radioactive contamination. Most of these wastes were removed from locations where no significant volumes of hazardous wastes would be expected (e.g., topsoil from residential properties and sediments excavated from stream beds). This observation is consistent with the results of chemical sampling. The WISS pile was sampled in 1986 and analysis results forwarded in May of 1987. Results indicate that the piles contain no characteristically hazardous wastes as defined by Resource Conservation and Recovery Act (RCRA) regulations, and that no elevated levels of polychlorinated biphenyls or petroleum hydrocarbons exist in the wastes. Materials to be placed in the MISS pile were sampled and results forwarded in the subsequent characterization reports (Enclosures 3 through 6).

Although chemical sampling results from the piles are limited, they support our general conclusion that the piles contain no hazardous wastes. As specified in supporting correspondence to NJPDES permits numbers NJ0054500, NJ0055051, NJ0054836, pile sampling will be conducted upon reopening of the piles for remediation (see Enclosure 7). Reopening a pile solely for the purpose of chemical sampling would unnecessarily compromise the containment system constructed to store these wastes.

Sampling and historical information on site wastes not contained in the piles is insufficient to determine their regulatory status. Further information will be gathered as the RI/FS process is initiated at the WISS and MISS. It is DOE's intent to perform complete chemical characterization of each of these sites per EPA requirements and procedures. Work plans will be available for your review in early 1989 at which time we hope to confirm that the plan will satisfy all NJDEP requirements. Please note that based on EPA procedures, our plan may not specify the comprehensive sampling frequency described in the classification policy. The MSP will be handled as a removal action, and as part of that effort, an Engineering Evaluation/Cost Analysis will be prepared and submitted for review and comment.

If you have any questions concerning any of this information, please contact me or Robert Atkin at (615) 576-1826. We hope to work closely with New Jersey Department of Environmental Protection personnel to ensure that all New Jersey FUSRAP wastes are properly and expeditiously characterized and managed.

Sincerely,

Peter J. Gross, Director Technical Services Division

Enclosures: As stated

cc: Ed Kaup, NJDEP
John Gaston, NJDEP
Cindy Gordon, NJDEP
Pat Evangalista, EPA
Kay Stone, EPA
Steve Luftig, EPA
Robert Hargrove, EPA

LIST OF ATTACHMENTS

- Letter, E. L. Keller, DOE, A. Schiffman, NJDEP, "EP Toxicity Results for Soil/Fill Samples taken from the Middlesex Sampling Plant and the Middlesex Municipal Landfill, Middlesex, New Jersey," CCN 29740, August 6, 1985.
- Letter, S. W. Ahrends, DOE, A. Schiffman, NJDEP, "NJDES Permit No. 0054836 for the U.S. DOE's Middlesex Sampling Plant Site," CCN 041133, October 31, 1986.
- Bechtel National, Inc., <u>Characterization Report for the Sears Property</u>, DOE/OR/20722-140, Oak Ridge, TN, May 1987.
- Bechtel National, Inc., <u>Characterization Report for the Maywood Interim Storage Site</u>, DOE/OR/20722-139, Oak Ridge, TN, June 1987.
- 5. Bechtel National, Inc., <u>Radiological and Limited Chemical</u>
 <u>Characterization Report for the Sunoco Station Property in Maywood, New Jersey</u>, DOE/OR/20722-155, Oak Ridge, TN, July 1987.
- 6. Bechtel National, Inc., <u>Radiological and Limited Chemical</u>
 <u>Characterization Report for the Hunter Douglas Property in Maywood, New Jersey</u>, DOE/OR/20722-152, Oak Ridge, TN, July 1987.
- Letter, R. Berg, NJDEP, S. W. Ahrends, DOE, "Waste Pile Sampling, U.S. DOE Interim Storage Sites," CCN 038239, July 1, 1986.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II 26 FEDERAL PLAZA NEW YORK, NEW YORK 10278

JAN 1 2 1999

Mr. Robert Atkin Technical Services Division U.S. Department of Energy P.O. Box 2001 Oak Ridge, Tennessee 37831

Dear Mr. Atkin:

This letter is in regard to the quarterly environmental monitoring performed at the Wayne Interim Storage Site (WISS) and the Maywood Interim Storage Site (MISS). According to our discussions with you, the quarterly groundwater monitoring is carried out under Department of Energy (DOE) Orders and does not follow U.S. Environmental Protection Agency (USEPA) Quality Assurance/Quality Control (QA/QC) procedures.

As Remedial Investigation/Feasibility Study (RI/FS) workplans have not yet been approved by USEPA for the WISS and the MISS, DOE is not required to follow USEPA QA/QC procedures at this time. However, once USEPA has approved the RI/FS workplans, DOE will be required to follow USEPA QA/QC guidance, as these sites are National Priorities List (NPL) Federal facilities. Therefore, we suggest that DOE begin now to initiate the steps necessary to follow USEPA guidance. Enclosed is the Region II: CERCLA Quality Assurance Manual, which will be of assistance to you in implementing USEPA procedures. In addition, the Compendium of Superfund Field Operations Methods (OSWER Directive # 9355.0-14), will also be helpful to you. We can also provide assistance to you in reviewing the QA/QC plans developed for the sites.

In addition, USEPA will soon be sending our contractor, Ebasco Services, Inc., to perform oversight sampling of the quarterly groundwater monitoring at the WISS. Ebasco will contact you for information about when the next quarterly monitoring will occur.

If you have any questions, please contact me at FTS 264-4595 for questions regarding the WISS or Pat Evangelista at FTS 264-6311 for questions regarding the MISS.

Sincerely yours,

Kay Stone Site Investigation Section

Enclosure

cc: P. Gross, DOE

E. Kaup, NJDEP

bcc: C. Petersen, EPA-ERRD

K. Stone, EPA-ERRD A. Karas, EPA-ERRD

P. Evangelista, EPA-ERRD ~

R. Hargrove, EPA-OPM